



IFW

Docket No. TAN-356

CERTIFICATE OF MAILING

Date of Deposit: **JANUARY 10, 2008**

I hereby certify under 37 CFR 1.10 that this correspondence and enumerated documents is being deposited with the United States Postal Service as "First Class Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop Election, P.O. Box 1450, Alexandria, VA 22313-1450.

Name: Theresa R. Godfrey

Signature: *Theresa R. Godfrey*

H. JAY SPIEGEL & ASSOCIATES

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

HIROSHI TOMIYAMA et al.

GROUP ART UNIT: 1623

Serial Number: 10/560,357

EXAMINER: Bland, Layla D.

Filed: December 12, 2005

For: SERUM CHOLESTEROL LOWERING
AGENT OR PREVENTIVE OF
THERAPEUTIC AGENT FOR
ATHEROSCLEROSIS

ELECTION

The Honorable Commissioner of
Patents
Alexandria, VA 22313-1450

Sir:

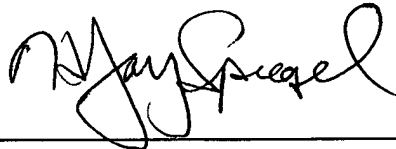
In response to the outstanding Election Requirement dated December 11, 2007, for which a shortened statutory period for response of one (1) month was given, Applicants herewith elect the Group I invention for prosecution in this application, drawn to an agent comprising a

compound of formula (I) and a cholesterol biosynthesis inhibitor, in the absence of a fibrate-type cholesterol lowering agent. This Election is made without traverse, and Claims 1, 2, 4, 5, and 9-12 (in part); 6, and 13-20 recite the elected invention.

An early Office Action on the merits is respectfully solicited.

Respectfully submitted,

H. JAY SPIEGEL & ASSOCIATES

A handwritten signature in black ink, appearing to read "H. Jay Spiegel", is written over a horizontal line.

H. Jay Spiegel
Attorney for Applicants
Registration No. 30,722

H. JAY SPIEGEL & ASSOCIATES
P.O. Box 11
Mount Vernon, Virginia 22121
(703) 619-0101 - Phone
(703) 619-0110 - Facsimile
jayspiegel@aol.com - e-mail